



RCE/TKW

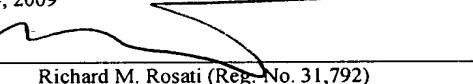
U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

## REQUEST FOR CONTINUED EXAMINATION (RCE)

### TRANSMITTAL FORM (37 C.F.R. § 1.114)

DOCKET NO. <b>12755/3</b>	APPLICATION SERIAL NO. <b>10/660,909</b>	EXAMINER <b>Catheryne CHEN</b>	ART UNIT <b>1655</b>
INVENTOR(S): <b>Wolfgang KEMPE</b>		CONFIRMATION NO. <b>6383</b>	

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
Date: January 14, 2009  
Signature:   
Richard M. Rosati (Reg. No. 31,792)

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. **10/660,909** filed on **September 12, 2003** entitled **FOOD ADDITIVE**. The following constitutes the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

Please enter the enclosed "Submission Pursuant to 37 C.F.R. § 1.114 In Connection With Request for Continued Examination" responsive to the final Office Action dated July 17, 2008 and the Advisory Action mailed on November 24, 2008.

Information Disclosure Statement

Drawing Changes

Other Submission:

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached Amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						810.00
TOTAL CLAIMS	18	MINUS	20	0	52.00	0.00
INDEPENDENT CLAIMS	2	MINUS	3	0	220.00	0.00
MULTIPLE DEPENDENT CLAIM				31/22/2009 01/14/2009 0010 110000 10660909 01 FC-1AB1 02 FC-1253 Number extra must be zero or larger	390.0000 DA 1110.00 DH TOTAL	0.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL	00

2. Please charge the required RCE and submission filing fee of **\$810.00** to the deposit account of **Kenyon & Kenyon LLP**, Deposit Account Number **11-0600**.
3. Applicant respectfully requests a **three-month extension of time** in which to respond to the Final Office Action dated July 17, 2008, for which a response period expiring October 17, 2008 was set. The extended period expires on January 17, 2009. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.136(a) extension fee of **\$1,110** to the deposit account of **Kenyon & Kenyon LLP**'s deposit account number **11-0600**.
4. The Commissioner is hereby authorized to charge payment of the fees, including any additional and/or extension fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of Kenyon & Kenyon LLP's, deposit account number **11-0600**.

Respectfully submitted,

By:   
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**CUSTOMER NO. 26646**

Dated: January 14, 2009